

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
ENTERED

In Re ENRON CORPORATION
SECURITIES, DERIVATIVE &
"ERISA" LITIGATION,

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MDL 1446

JAN - 6 2004

Michael N. Milby, Clerk of Court

MARK NEWBY, ET AL.,

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Plaintiffs

VS.

CIVIL ACTION NO. H-01-3624
AND CONSOLIDATED CASES

ENRON CORPORATION, ET AL.,

Defendants

VANGUARD BALANCED INDEX FUND,
et al.,

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Plaintiffs,

VS.

CIVIL ACTION NO. H-03-5808

CITIBANK NA, et al.,

Defendants.

ORDER OF COORDINATION

Vanguard Balance Index Fund, et al., v. Citibank NA, et al., H-03-5808, alleging under Pennsylvania state law securities fraud and fraudulent transfer "credit linked" Yosemite Notes used Defendants Citibank NA, Salomon Smith Barney, Inc. and Delta Energy Corporation to fund by sham transactions for Enron, was removed from the Court of Common Pleas for Chester County, Pennsylvania to the United States District Court for the Eastern District of Pennsylvania County, Texas, based on diversity and "related to" bankruptcy jurisdiction, and then transferred to this Court by the Multidistrict Litigation Panel as part of MDL 1446 because it is related to the collapse of Enron Corporation.


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To insure that this case receives all relevant pleadings and orders, the Court

ORDERS that the docketing clerk shall henceforth designate H-03-5808 as a "coordinated case" in conjunction with Newby and shall enter it as such on the docket sheet of Newby.

The Court is aware of the pending motion to remand (#7). By agreement of the Court and counsel in MDL 1446, there is currently a stay until at least January 22, 2004 on any rulings on motions to remand by the Court.

SIGNED at Houston, Texas, this 5th day of January, 2004.



MELINDA HARMON
UNITED STATES DISTRICT JUDGE